

BILL NO. G-74-11- 12

GENERAL ORDINANCE NO. G- 34-74

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a certain street
and alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street and alley hav-
ing been filed with the Fort Wayne City Plan Commission and resolution having been
duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following
a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts
of the General Assembly of the State of Indiana, as amended by Section 3, Chapter
385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind.
Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in
General Ordinance No. G-97 adopted by the Common Council of the City of Fort
Wayne on November 26, 1963, is amended by deleting the following public street
and alley in Fort Wayne, Allen County, Indiana, to-wit:

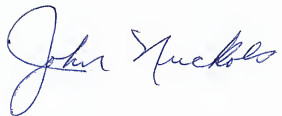
Lafayette Street, extending north from Elizabeth Street

The first and second east-west alleys lying north of
Elizabeth Street, and extending west from Lafayette Street
to Barr Street

The north-south alley lying east of Barr Street and west of
Lafayette Street

SECTION 2. After passage of this Ordinance, approval by the Mayor
and legal publication, a duly certified copy of this Ordinance, of the recommenda-
tion of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall
be transmitted by the City Clerk to the Board of Public Works of the City of Fort
Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and
after its passage, approval by the Mayor and legal publication thereof.



APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Hinga, seconded by Hinga Nuckols, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 11-12-74

Shirley D. Whitman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage.

Passed (test) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____	_____
MOSES	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 11/26/74

Shirley D. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 12-24-74, on the 26th day of November, 1974.

ATTEST: (SEAL)

Shirley D. Whitman
CITY CLERK

Samuel J. Talarico
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A M., E.S.T.

Shirley D. Whitman
CITY CLERK

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P M., E.S.T.

Samuel J. Talarico
MAYOR

Bill No. G-74-11-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a certain street
and alley in the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

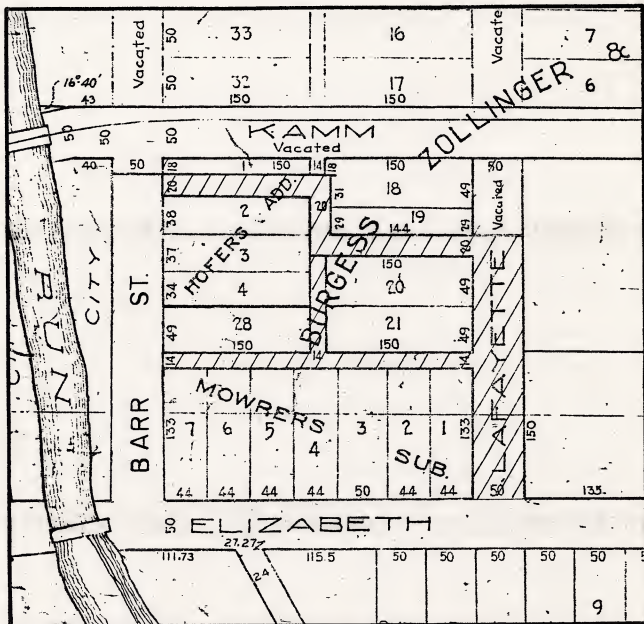
William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
Paul M. Burns
D.J. Schmidt

DATE 11-26-74 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



STREETS and ALLEYS TO BE VACATED



THE CITY OF FORT WAYNE

October 21, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

Lafayette Street, extending north from Elizabeth Street.

The first and second east-west alleys lying north of
Elizabeth Street, and extending west from Lafayette Street
to Barr Street.

The north-south alley lying east of Barr Street and west
of Lafayette Street.

which was approved by the City Plan Commission at its regular meeting
held October 21, 1974.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of October, 1974.

Thomas J. Offerle
Secretary

R E S O L U T I O N

WHEREAS, INDIANA & MICHIGAN ELECTRIC COMPANY, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public streets and alleys in Allen County, Indiana, to-wit:

That portion of Lafayette Street from the north right-of-way line of Elizabeth Street, north to the easterly extension of the north line of the alley lying south of Lot #19 of Burgess, Zollinger & Kamm's Addition. The northerly terminus also being the south line of said Lafayette Street previously vacated.

An alley, twenty (20) feet wide, extending from the east right-of-way line of Barr Street; thence easterly between Lots #1 and #2 of Hofer's Addition to the west line of Lot #18 of Burgess, Zollinger & Kamm's Addition; thence southerly to the westerly extension of the north line of Lot #20 in Burgess, Zollinger & Kamm's Addition; thence easterly between Lots #19 and #20 of Burgess, Zollinger & Kamm's Addition to the west right-of-way line of Lafayette Street.

An alley, fourteen (14) feet wide, between Barr Street and Lafayette Street, lying west of Lots #20 and #21 in Burgess, Zollinger & Kamm's Addition.

An alley fourteen (14) feet wide, between Barr and Lafayette Streets lying north of Mowrer's Subdivision,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and

WHEREAS, said public hearing was held on October 21, 1974, at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public streets and alleys;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public streets and alleys hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and

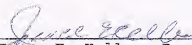
BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and alley hereinbefore described be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, JAMES E. KELLEY, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on October 21, 1974, and as the same appears of record in the official records of said Plan Commission.

DATED THE 21st DAY OF October , 1974.



James E. Kelley, President
Fort Wayne City Plan Commission

PETITION FOR VACATION OF STREET

Fort Wayne, Indiana

TO: Plan Commission of the City of Fort Wayne
The Common Council of the City of Fort Wayne
The Board of Public Works of the City of Fort Wayne

Gentlemen:

Indiana & Michigan Electric Company, owner of real estate in the City of Fort Wayne, Allen County, Indiana, described as follows:

Lots numbered 1, 2, 3, 4, 5, 6 and 7 of Mowrer's Subdivision; lots numbered 1, 2, 3 and 4 of Hofer's Addition; and lots numbered 18, 19, 20, 21 and 28 of Burgess, Zollinger & Kamm's Addition, all to the City of Fort Wayne, Indiana; and that parcel of land immediately east of Lafayette Street, bounded on the north by vacated Kamm Street, the east by Spy Run Avenue, the south by Elizabeth Street and the west by Lafayette Street and partially vacated Lafayette Street,

constituting all the real estate abutting on both sides of that portion of the streets and alleys herein sought to be vacated, respectfully petitions and requests that:

1. The Fort Wayne City Plan Commission hold a public hearing upon the vacation of the following described portions of streets and alleys within the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of Lafayette Street from the north right-of-way line of Elizabeth Street, north to the easterly extension of the north line of the alley lying south of Lot #19 of Burgess, Zollinger & Kamm's Addition. The northerly terminus also being the south line of said Lafayette Street previously vacated.

An alley, twenty (20) feet wide, extending from the east right-of-way line of Barr Street; thence easterly between Lots #1 and #2 of Hofer's Addition to the west line of Lot #18 of Burgess, Zollinger & Kamm's Addition; thence southerly to the westerly extension of the north line of Lot #20 in Burgess, Zollinger & Kamm's Addition; thence easterly between Lots #19 and #20 of Burgess, Zollinger & Kamm's Addition to the west

right-of-way line of Lafayette Street.

An alley, fourteen (14) feet wide, between Barr Street and Lafayette Street, lying west of Lots #20 and #21 in Burgess, Zollinger & Kamm's Addition.

An alley fourteen (14) feet wide, between Barr and Lafayette Streets lying north of Mowrer's Subdivision.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §53-744).

2. Upon determination that the vacation of said public streets and alleys hereinabove described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana, the Fort Wayne City Plan Commission approve the vacation of the said public streets and alleys hereinabove described pursuant to the provisions of the above-mentioned statute.

3. The Common Council of the City of Fort Wayne enact an ordinance to amend the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, by authorizing the vacation of said public streets and alleys hereinabove described in accordance with the terms of Section 42, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §53-742), and the aforementioned Section 44 of Chapter 174 of the Acts of 1947.

4. The Board of Public Works of the City of Fort Wayne pass a resolution providing for the vacation of said streets and alleys as hereinabove described in accordance with the terms of Section 93, Chapter 129 of the Acts of 1905, as amended by Section 8, Chapter 188 of the Acts of 1909 and Section 1, Chapter 85 of the Acts of 1913 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §48-1902) and Section 97, Chapter 129 of the Acts of 1905 of the General Assembly of the State of Indiana (Ind. Stat. Annot. §48-2001).

Respectfully submitted,

INDIANA & MICHIGAN ELECTRIC COMPANY

By: 

Charles R. Cogdell
LIVINGSTON, DILDINE, HAYNIE & YODER
425 Lincoln Bank Tower
Fort Wayne, Indiana
Attorneys for Indiana &
Michigan Electric Company

TITLE OF ORDINANCE Street and alley vacation ordinance *8-74-11-121*
(CITY PLAN COMMISSION) DEPARTMENT OF COMMUNITY DEVELOPMENT AND PLANNING

DEPARTMENT REQUESTING ORDINANCE Division of Long Range Planning and Zoning

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the
following street and alleys:

Lafayette Street, extending north from Elizabeth Street/ The first and second

east-west alleys lying north of Elizabeth Street, and extending west from

Lafayette Street to Barr Street / The north-south alley lying east of Barr

Street and west of Lafayette Street. (See legal description on petition)

EFFECT OF PASSAGE Street and alleys, when vacated, will be utilized by
the petitioners - Indiana and Michigan.

EFFECT OF NON-PASSAGE Street and alleys will remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

December 2, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of December 5 and 12, 1974,
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for the Common Council
of Fort Wayne, Indiana:

General Ordinance No. G-31-74
Vacation of a certain street
(Fairwood Drive)

General Ordinance No. G-34-74
Vacation of an alley

Zoning Map Ordinance No. Z-19-74
Fisher Place Addition

General Ordinance No. G-33-74
Vacation of a street
(Chepequah Lane)

General Ordinance No. G-32-74
Vacation of a street
(Yale Avenue)

Please send us five (5) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk
Melvin G. Honeck
Deputy Clerk

MH/ne
Encl:5

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines 95

Tail number of lines 2

Total number of lines in notice 97

COMPUTATION OF CHARGES

97 lines, 1 columns wide equals 97 equivalent lines at 288¢ cents per line

\$ 27.94

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM

\$ 29.44

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 12, 1974

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK _____ of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

12/5-12/74

Subscribed and sworn to before me this 12th day of December, 1974

My commission expires October 25, 1975

Notary Public

COPY OF
SENT HERE

Allen County Prosecution
noid H. Duemling is seen
the death penalty for I
who was previously convi
In Allen County of two
charges.
Manager Reassigned
INDIANAPOLIS (AP)—
manager of the Hilton H
here since its opening
years ago. Lynn H. Alton
tr. 45, has been named in
ager of the O'Hare In
national Hotel in Chicago,
decide Dec. 18.
Brezhnev in Paris
PARIS (AP) — Soviet le
er Donald T. Brezhnev arri
from Moscow Wednesday
ning for talks with Preside
Valery Giscard d'Estaing.

City Clerk
CHARLES W. WESTERMAN,
Deputy Clerk.
MELVIN G. HONECK,
Deputy Clerk.

Ft. Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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Total number of lines in notice

COMPUTATION OF CHARGES

97 lines, 1 columns wide equals 97 equivalent lines at .288¢ cents per line \$ 27.94

Additional charge for notices containing rule or tabular work (50 per cent of above)

Extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

COST

11 column 11 ems

Size of type 5 1/2 point

Insertions 2

Size of quad upon which type is cast 5 1/2

and penalties of Ch. 89, Acts 1967,

The foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

19 74

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

that S. he is Clerk

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time 2 the dates of publication being as follows

12/5-12/74

Subscribed and sworn to before me this 12th day of December 19 74

Notary Public

My commission expires October 25, 1975

Notice is hereby given that on the 26th day of November, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-74-11-12, G-34-74 General Ordinance, to-wit:

BILL NO. G-74-11-12
GENERAL ORDINANCE NO. G-34-74
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street and alley in the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street and alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 27, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 31-741), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street and alley in Fort Wayne, Allen County, Indiana, to-wit:

The first and second east-west alleys lying north of Elizabeth Street, and extending west from Lafayette Street to Barr Street

The north-south alley lying east of Barr Street and west of Lafayette Street

SECTION 2. After passage of this Ordinance, approved by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

JOHN NUCKOLS,
Read the third time. In full as on motion by Nuckols, seconded by Hingo, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hingo, Kraus, Moses, Nuckols, D. Schmitt, V. Schmidt, Sier, Talarico
Nays: None

Date: 11-26-74

CHARLES W. WESTERMAN, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, at General Ordinance No. G-34-74 on the 26th day of November, 1974.

COPIES OF
SENT HERE
CHARLES W. WESTERMAN, City Clerk
SAMUEL J. TALARICO, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk
Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

IVAN A. LEBANOFF, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true and complete copy of General Ordinance No. G-34-74 passed by the Common Council on the 26th day of November, 1974, that said Ordinance was duly signed and approved by the Mayor on the 2nd day of December, 1974 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 2nd day of December, 1974.

CHARLES W. WESTERMAN, City Clerk
MELVIN G. HONECK, Deputy Clerk

Ft. Wayne Common Council
(Governmental Unit)

To... NEWS-SENTINEL ...Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 29.44

DATA FOR COMPUTING COST

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Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date December 12, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

that she is Clerk of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

12/5-12/74

Subscribed and sworn to before me this 12th day of December, 1974

Notary Public

My commission expires October 25, 1975

Heari

Computer Runs Plant
PERTALLETTE, Venez
million tons of cement annu
plant capable of producing
recently. Proven limestone
— A \$41.4 million, computer-
power in the country.
that the family had no "er
plan" to wild econo
Laurence Rockefeller ins
investigate, "Waldie respon
to probe, to dig and to
we get the truth is by contin
geral feeling that the only
"And I have the equal
teller shot back.
Rep. Jerome Waldie, D-C
the City of Fort Wayne, Indiana, was
y of December 1974.
CHARLES W. WESTERMAN,
City Clerk
MELVIN G. HONECK,
Deputy Clerk.